

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34522 of 2007(I)

PETITIONERS:

- 1. ASWATHY P.V.,
PINOOR HOUSE, PANAVALLY P.O., CHERTHALA.**
- 2. BINDU K.GEORGE,
PUTHENANGADY HOUSE, AYAMKUDY P.O., KADUTHURUTHY.**
- 3. MARY HIMA K.V.,
KANNAMPUZHA HOUSE, THOTTUMUGHOM P.O., ALUVA-5.**
- 4. MARY PRINCY M.P.,
VELLEPARAMBIL HOUSE, NORTH PALATHURUTHY, KALOOR.**
- 5. MELVIN MARY A.A.,
THOTTAKATH HOUSE, CHERANELLOR P.O., KOCHI.**
- 6. PREETHY ABRAHAM,
PANICKASSERIL HOUSE, THEVARA.**
- 7. ROSE MARY A.R.,
ATHIPOZHY HOUSE, SAUDE, MUNDAMVELI P.O., KOCHI-7.**
- 8. SHEMLA CORREYA,
CHERUPUNATTIL HOUSE, BOLGHATTY, MULAVUKADU P.O.**
- 9. BEJEENI BABY,
KUDIYIRIPPIL HOUSE, MATTOOR, KALADY P.O.**
- 10. ASWATHI K.B.,
KUDIYIL VEEDU, OKKAL P.O., OKAL.**
- 11. THAZNEEM K.M.,
KADAPPALLYKULAYIL, CHAMGHAPUZHA NAGAR,
SOUTH KALAMASSERY, ERNAKULAM.**
- 12. RAJEETHA RAVINDRAN,
RATHIKALAYAM HOUSE, KALLIKAVU P.O., MALAPPURAM.**

13. EMY VARGHESE,
KURINJIKKAL HOUSE, PERINGHALA P.O., ERNAKULAM.

14. SURESH M.S.,
MANELIL HOUSE, VALAYANCHIRA P.O., ERNAKULAM.

15. CHRIS CYRUS,
ARRAKKAL HOUSE, MUNDAMVELI.

BY ADV. SRI.J.JULIAN XAVIER

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF GENERAL EDUCATION,GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM-14.

3. THE DEPUTY DIRECTOR OF EDUCATION,
ERNAKULAM.

4. ST. JOSEPH TEACHERS TRAINING INSTITUTE
FOR WOMEN, KOVILVATTOM ROAD, ERNAKULAM,
KOCHI-682 035, REPRESENTED BY ITS PRINCIPAL.

5. NATIONAL TEACHERS TRAINING INSTITUTE,
VENGOLA, PERUMBAVOOR, REPRESENTED BY ITS PRINCIPAL

6. ASSISSI TEACHERS TRAINING INSTITUTE,
EDAKOCHI, REPRESENTED BY ITS PRINCIPAL.

7. REGIONAL DIRECTOR,
SOUTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR
TEACHER EDUCATION, CSD BUILDING, 1ST FLOOR,
HMT P.O., BANGALORE.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD
SRI.V.M.KURIAN, SRCNCTE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ANTONY DOMINIC, J.

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W.P. (C) No.34522 OF 2007 I
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Dated this the 22nd November, 2007

J U D G M E N T

The challenge in this writ petition is against Ext.P7, which has been issued by the 1st respondent in pursuance to the direction of this court in Ext.P6 judgment.

2. The facts of the case are that though the petitioners are students, who did not have 50% marks to be admitted for TTC, they were admitted inspite of their ineligibility. Writ petition was filed by similarly situated students claiming that irrespective of their ineligibility to be admitted, they should be allowed to continue the course. That was the issue that was considered in Ext.P6 judgment, where this court has already held that no direction as sought for could be granted. But however, it was ordered that Government will consider whether relaxation should be sought for from the 7th respondent reducing the minimum eligibility fixed. This issue has been considered by

the Government and by the impugned order, Government decided that the minimum eligibility will continue to be 50% and that relaxation need not be sought for. It is this order, which is challenged in this writ petition.

3. As already noticed, the claim for relaxing the minimum mark to make the students eligible to seek admission has already been considered by this court and negatived in Ext.P6. In the light of Ext.P6, the petitioners are not entitled to get the prayer sought for in this writ petition. Further, now that the Government has decided not to reduce the eligibility criteria, one cannot take any exception to such a policy decision.

I do not find any merit in this writ petition and it is dismissed.

**ANTONY DOMINIC
JUDGE**

Rp/-